

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED  
CENTRAL FAX CENTE  
NOV 19 2004

In re the Application of:

Osorio, et al

Serial No.: 10/687,289

Filed: October 15, 2003

For: Multi-Modal Operation of a Medical  
Device System

Atty. Docket No.: 011738.00141

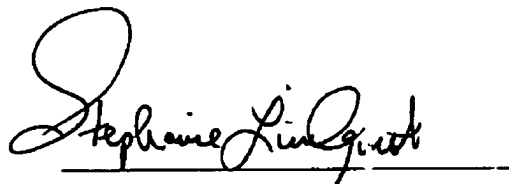
Group Art Unit: 3762

Examiner: Alyssa M. Alter

Confirmation No.: 3969

Attn: Examiner Alyssa M. Alter  
Group Art Unit 3762

Fax No.: 703-872-5306

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\_\_\_\_\_Banner & Witcoff, Ltd.  
10 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: (312) 463-5000  
Facsimile: (312) 463-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 11738.000141)

PATENT

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CENTRAL FAX CENTER  
NOV 19 2004

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|---------------------------------|---|---------------------------|
| In re Application of:           | ) |                           |
|                                 | ) |                           |
| Osoria, et al                   | ) |                           |
|                                 | ) | Group Art Unit: 3762      |
| Serial No.: 10/687,289          | ) |                           |
|                                 | ) | Examiner: Alyssa M. Alter |
| Filed: October 15, 2003         | ) |                           |
|                                 | ) | Confirmation No. 8969     |
| For: MULTI-MODAL OPERATION OF A | ) |                           |
| MEDICAL DEVICE SYSTEM           | ) |                           |

**REQUEST FOR CLARIFICATION**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Alter:

In the Office action dated November 5, 2004 for the above-identified US patent application, on page 2, both the boxes for Final and Non-Final office action are checked. Applicant requests clarification of whether this office action is final or non-final.

Thank you, and please feel free to contact the undersigned with any questions.

Respectfully Submitted,

BANNER & WITCOFF, LTD.

Dated: November 19, 2004

By: \_\_\_\_\_

Binal J. Patel  
Reg. No. 42,065

Banner & Witcoff  
10 South Wacker Dr.  
Suite 3000  
Chicago, IL 60606  
(312) 463-5001 - fax